

OCT 11 2007

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/821078
	Confirmation Number	1677
	Filing Date	April 8, 2004
	First Named Inventor	Davis, Robert A.
	Examiner Name	Malanie J. Hand
Fax: 571-273-8300 and 571-273-6464	Attorney Docket Number	56630US007
Total Number of Pages in This Submission: 58		
Date: October 11, 2007	Attorney for Applicant: Nancy M. Lambert/cma	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: Applicant Initiated Interview Request Form and Cited References to discuss
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
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OCT 11 2007

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Case No. 56630US007

Customer Number

First Named Inventor: DAVIS, ROBERT A.

Application No.: 10/821078

Confirmation No.: 1677

Filed: April 8, 2004

Status of Application: REJECTED

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.  
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October 11, 2007

Carrie M. Arcand

Date

Signed by: Carrie M. Arcand

## APPLICANT INITIATED INTERVIEW REQUEST FORM

Tentative Participants:

- (1) Michael G. Williams (2) Nancy M. Lambert  
(3) Examiner Melanie J. Hand (4)

Proposed Date of Interview: October 12, 2007Proposed Time: 10:00 a.m. Central Standard Time

Type of Interview Requested:

- ☒ Telephonic ☐ Personal ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ Yes ☐ No

The following exhibits will be provided and discussed:

Chapter 6 "Sterilization by Ethylene Oxide" from Achieving Sterility in Medical Products (Marcel Dekker, Inc., 1994).  
Transport of ethylene oxide through polymer films (J. Appl. Polymer Sci., 1987, 34:1835-59)

## ISSUES TO BE DISCUSSED

Issues (Rej., Obj., etc.)	Claims/ Fig. #'s	Cited Reference	Discussed	Agreed	Not Agreed
(1) 102 Rejection	58-81	U.S. Patent No. 6, 585,693	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Consideration of IDS's filed May 23, 2007 and July 9, 2007			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

- (1) Cited Reference does not teach a device that is substantially impermeable to ethylene oxide.  
(2) IDS's comply with C.F.R § 1.97(c)(2) and MPEP 609.01(A).

An interview was conducted on the above-identified application on: \_\_\_\_\_

Note: This form should be completed by Applicant and submitted to the Examiner in advance of the interview (see MPEP § 713.01).  
This application will not be delayed from issue because of Applicant's failure to submit a written record of this interview. Therefore,  
Applicant is advised to file a statement of the substance of this interview (37 C.F.R. § 1.33(b)) as soon as possible.

Nancy M. Lambert

Nancy M. Lambert, Reg. No.: 44,856  
Telephone No.: 651-733-2180

(Examiner/SPE Signature)